

## **AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

### **Listing Of Claims:**

1. (Currently Amended) A method implemented by a programmed computer system ~~for use in connection with the sale of stock by a first entity, which method comprises the steps of,~~ comprising:

~~inputting~~ utilizing a computer to input data regarding ~~the~~ a sale, by ~~the first entity a~~ company to a ~~second~~ another entity, of a security consisting of: (i) a post-paid forward contract which obligates the ~~second~~ other entity to purchase a fixed number of shares stock of the ~~first entity company;~~ and (ii) debt;

~~inputting~~ utilizing a computer to input data regarding ~~the~~ a purchase, by the ~~first entity~~ company from the ~~second~~ other entity, of a pre-paid forward contract which obligates the ~~second other~~ entity to deliver to the ~~first entity company~~ a variable number of shares of stock in the ~~first entity company;~~

~~inputting~~ utilizing a computer to input a then-current stock price associated with the stock of the ~~first entity company;~~

~~calculating~~ utilizing a computer to calculate a number of shares underlying the pre-paid forward contract, based on a formula that is a function of a then-current stock price and a remaining maturity associated with the pre-paid forward contract;

~~recording~~ utilizing a computer to record the data regarding the sale, by the ~~first entity~~ company to the ~~second~~ other entity, of the security consisting of: (i) the post-paid forward contract; and (ii) the debt;

~~recording~~ utilizing a computer to record the data regarding the purchase, by the ~~first entity company~~ from the ~~second other~~ entity, of the pre-paid forward contract; and

~~recording~~ utilizing a computer to record the calculated number of shares underlying the pre-paid forward contract;

wherein the pre-paid forward contract comprises a call option.

2. (Cancelled)

3. (Currently Amended) The ~~security~~ method of claim [[2]] 1, wherein the stock of the ~~first entity~~ company is common stock in a public company.

4. (Currently Amended) The ~~security~~ method of claim [[2]] 1, wherein the post-paid forward contract obligates the ~~first entity~~ company to sell and the ~~second~~ other entity to purchase, at maturity of the post-paid forward contract, a fixed number of shares of stock in the ~~first entity~~ company for a fixed price.

5. (Currently Amended) The ~~security~~ method of claim 4, wherein the fixed price ~~essentially~~ equals a face amount of the debt.

6. (Currently Amended) The ~~security~~ method of claim [[2]] 1, wherein the ~~first entity~~ company pays, to the ~~second~~ other entity, a contract fee on the post-paid forward contract.

7. (Currently Amended) The ~~security~~ method of claim 6, wherein the contract fee is paid once.

8. (Currently Amended) The ~~security~~ method of claim 6, wherein the contract fee is paid periodically at a time selected from the group including: (a) daily; (b) weekly; (c) monthly; (d) quarterly; (e) semi-annually; and (f) annually.

9. (Currently Amended) The ~~security~~ method of claim [[2]] 1, wherein the debt is initially pledged as collateral to secure the obligations of the ~~second~~ other entity under the post-paid forward contract.

10. (Currently Amended) The ~~security~~ method of claim 9, wherein the ~~second~~ other entity has the right to recollateralize the post-paid forward contract.

11. (Currently Amended) The ~~security~~ method of claim [[2]] 1, wherein the debt pays a fixed cash coupon, subject to reset.

12. (Currently Amended) The ~~security~~ method of claim 11, wherein the coupon is paid periodically at a time selected from the group including: (a) daily; (b) weekly; (c) monthly; (d) quarterly; (e) semi-annually; and (f) annually.

13. (Currently Amended) The ~~security~~ method of claim 12, wherein the coupon is reset and the debt is remarketed.

14. (Currently Amended) The ~~security~~ method of claim [[2]] 1, wherein the pre-paid forward contract obligates the ~~second~~ other entity to deliver to the ~~first entity~~ company a variable number of shares of stock in the ~~first entity~~ company depending on a price of the stock at maturity of the pre-paid forward contract.

15. (Currently Amended) The ~~security~~ method of claim 14, wherein the ~~first entity~~ company pre-pays the purchase price of the stock and need not pay for the stock at the time of delivery.

16. (Currently Amended) The ~~security~~ method of claim 15, wherein at least a portion of the purchase price of the stock is paid to the ~~second~~ other entity at the time of issuance of the pre-paid forward contract with the remaining portion funded through periodic contract payments.

17. (Currently Amended) The ~~security~~ method of claim 16, wherein the contract payments are paid periodically at a time selected from the group including: (a) daily; (b) weekly; (c) monthly; (d) quarterly; (e) semi-annually; and (f) annually.

18. (Currently Amended) The ~~security~~ method of claim [[2]] 1, wherein, prior to maturity of the pre-paid forward contract, the ~~first entity~~ company has the right to fix the number of shares underlying the pre-paid forward contract, based on a formula that is a function of a then-current stock price and a remaining maturity associated with the pre-paid forward contract.

19. (Currently Amended) The ~~security~~ method of claim [[2]] 1, wherein the post-paid forward contract and the debt are initially pledged as collateral to secure the obligations of the ~~second~~ other entity to deliver stock pursuant to the pre-paid forward contract.

20. (Currently Amended) The ~~security~~ method of claim 19, wherein the ~~second~~ other entity has the right to recollateralize the pre-paid forward contract with common stock of the ~~first~~ entity company .